

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X  
UNITED STATES OF AMERICA : INFORMATION  
: 23 Cr. 410 (VB)  
- v. - :  
JARED ROTHSTEIN, :  
: Defendant. :  
----- X

COUNT ONE

8/9/23

(Conspiracy to Defraud the IRS)

The United States Attorney charges:

BACKGROUND

1. From in or about November 2013 to in or about October 2018, JARED ROTHSTEIN, the defendant, agreed with others to engage in a scheme: a) to fraudulently reduce the income and, thereby, the income tax liability of ROTHSTEIN's employer; and b) to conceal ROTHSTEIN's personal income arising from the scheme from the Internal Revenue Service ("IRS"), thereby reducing his personal income tax liability.

Relevant Persons and Entities

2. At times relevant to this Information:

a. JARED ROTHSTEIN, the defendant, was a resident of Westchester County, New York.

b. Company 1 was an entity in the construction industry based in White Plains, New York. Company 1 was

ROTHSTEIN's employer and was owned by a relative of ROTHSTEIN.

c. CPA Firm 1 was an accounting firm in Westchester County, New York. CPA Firm 1 provided tax preparation services to Company 1.

**Methods and Means of the Conspiracy**

3. In or about November 2013, partners of CPA Firm 1 proposed that JARED ROTHSTEIN, the defendant, and the owner of Company 1 participate with them in a scheme that would permit ROTHSTEIN and the owner of Company 1 to receive money from Company 1 without incurring personal tax liability. Pursuant to this scheme, ROTHSTEIN and the owner of Company 1 would issue checks on Company 1's bank account made payable to a shell company and give the checks to the CPA Firm 1 partners. The CPA Firm 1 partners would then cause the checks to be cashed at a check cashing service and would return the cash, minus a fee, to ROTHSTEIN and the owner of Company 1.

4. From in or about November 2013 to in or about February 2017, JARED ROTHSTEIN, the defendant, and the owner of Company 1 provided the CPA Firm 1 partners with more than 50 checks from Company 1's account made payable to a shell company specified by the CPA Firm 1 partners in a total amount of \$432,555. ROTHSTEIN and the owner of Company 1 divided the cash they received from the scheme evenly between themselves and each used the funds for their respective personal uses.

5. JARED ROTHSTEIN, the defendant, did not report his share of the income he received from the scheme on his federal or state income tax returns for calendar years 2013 through 2017 inclusive. ROTHSTEIN also caused Company 1 to recognize the checks as expenses, thus reducing Company 1's income and income tax liability.

**STATUTORY ALLEGATION**

6. From in or about November 2013 to in or about October 2018, in the Southern District of New York and elsewhere, JARED ROTHSTEIN, the defendant, together with the CPA Firm 1 partners, the owner of Company 1, and others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree with each other to defraud the United States of America and an agency thereof, to wit, the IRS.

7. It was a part and an object of the conspiracy that JARED ROTHSTEIN, the defendant, together with others known and unknown, willfully and knowingly would and did defraud the United States of America and the IRS for the purpose of impeding, impairing, obstructing, and defeating the lawful governmental functions of the IRS in the ascertainment, computation, assessment, and collection of revenue, to wit, ROTHSTEIN gave checks drawn on Company 1's bank account to CPA Firm 1 and received back cash that he did not report to the IRS on his federal income tax returns, thereby reducing his personal

income tax liability.

OVERT ACTS

8. The following overt acts, among others, were committed and caused to be committed in the Southern District of New York by JARED ROTHSTEIN, the defendant, in furtherance of the conspiracy and to effect the illegal object thereof:

a. On or about November 15, 2013, ROTHSTEIN issued a check drawn on Company 1's account made payable to Herneso Co. in the amount of \$6,575.

b. On or about February 15, 2017, ROTHSTEIN issued a check drawn on Company 1's account made payable to Tios Construction Corp. in the amount of \$8,900.

c. On or about April 1, 2018, ROTHSTEIN filed with the IRS a U.S. Individual Income Tax Return Form 1040 for the calendar year 2017 in which he failed to report more than \$20,000 that he received from the check cashing scheme described above.

(Title 18, United States Code, Section 371.)

COUNT TWO

**(Making and Subscribing to False Tax Returns)**

The United States Attorney further charges:

9. The allegations set forth in paragraphs 1 through 5 are repeated and realleged as if set forth fully herein.

10. From on or about April 15, 2014 through on or about

April 1, 2018, in the Southern District of New York and elsewhere, JARED ROTHSTEIN, a resident of Westchester County, the defendant, willfully and knowingly did make and subscribe to false United States Individual Income tax returns, Forms 1040, for himself for calendar years 2013 through 2017, which were prepared and signed in the Southern District of New York, and which were filed with the Internal Revenue Service, and which were verified by written declarations that they were made under the penalties of perjury, and which ROTHSTEIN did not believe to be true and correct as to every material matter, to wit, ROTHSTEIN significantly understated his income on his Form 1040s for the calendar years 2013 through 2017 by failing to report the cash he received from the check cashing scheme described above.

(Title 26, United States Code, Section 7206(1).)

Damian Williams  
DAMIAN WILLIAMS  
United States Attorney